

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Quali-Sel, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Domingos 41'

In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this seventh day of September in
the year of our Lord one thousand nine
hundred and seventy-six

Attest:

A. R. Rollin
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Earl L. Baty
Secretary of Agriculture



APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1. VARIETY NAME OR TEMPORARY DESIGNATION		2. KIND NAME	FOR OFFICIAL USE ONLY	
Domingos 41		Lettuce	PVPO NUMBER 7400019	
3. GENUS AND SPECIES NAME		4. FAMILY NAME (Botanical)	FILING DATE	TIME A.M.
Lactuca sativa L.		Compositae	9-28-73	10:00
6. NAME OF APPLICANT(S)		5. DATE OF DETERMINATION	FEE RECEIVED	CHARGES
Quani-Sel, Inc. 9/4 B-C SEEDS, INC.		June 17, 1972	\$ 250	
7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)		8. TELEPHONE AREA CODE AND NUMBER		
1143 Madison Lane Salinas, California 93901		(408) 422-8500 422-6489		
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.)		10. STATE OF INCORPORATION		11. DATE OF INCORPORATION
Corporation		California		March 1, 1972
12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:				
GEORGE J. NETTER, ESQ. Kendrick and Subkow Suite 1260 612 South Flower Street Los Angeles, California 90017				
13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:				
<input checked="" type="checkbox"/> 12A. Exhibit A, Origin and Breeding History of the Variety (See Section 52, P.L. 91-577)				
<input checked="" type="checkbox"/> 12B. Exhibit B, Botanical Description of the Variety				
<input checked="" type="checkbox"/> 12C. Exhibit C, Objective Description of the Variety				
<input checked="" type="checkbox"/> 12D. Exhibit D, Data Indicative of Novelty				
<input checked="" type="checkbox"/> 12E. Exhibit E, Statement of the Basis of Applicant's Ownership				

The applicant declares that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable. (See Section 52, P.L. 91-577).

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? (See Section 83(a), P.L. 91-577) (If "Yes," answer 14B and 14C below.) ☒ YES ☒ NO 9/7/76

14B. Does the applicant(s) specify that this variety be limited as to number of generations? ☐ YES ☒ NO

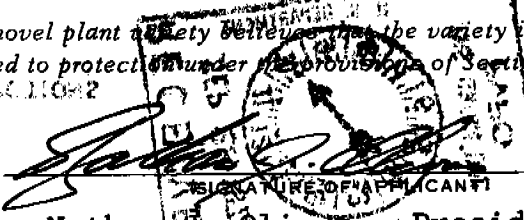
14C. If "Yes," to 14B, how many generations of production beyond breeder seed?

Applicant is informed that false representation herein can jeopardize protection and result in penalties.

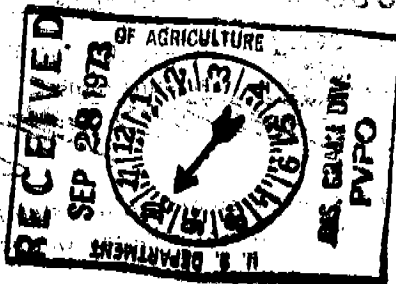
The undersigned applicant(s) of this sexually-reproduced novel plant variety believe that the variety is distinct, uniform, and stable as required in Section 41 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act (P.L. 91-577).

September 11, 1973
(DATE)

(DATE)


Nathan J. Olivas President
(SIGNATURE OF APPLICANT) 00001

INSTRUCTIONS



GENERAL: Send an original copy of the application, exhibits and \$50.00 fee to U.S. Dept. of Agriculture, Consumer and Marketing Service, Grain Division, Hyattsville, Maryland 20782. Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Insert the date the applicant determined that he had a new variety.

12a First, give the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. Second, give the details of subsequent stages of selection and multiplication. Third, indicate the type and frequency of variants during reproduction and multiplication and state how these variants may be identified. Fourth, provide evidence on stability.

12b First, give any special characteristics of the seed and of the plant as it passes through the seedling stage, flowering stage and the fruiting stage. Second, describe the mature plant and compare it with a similar commercial variety grown under the same conditions, and indicate the differences.

12c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.

12d Provide complete data indicative of novelty. Seed and plant specimens may be submitted and seeds submitted may be sterile. Where possible, include photographs of plant comparisons, chemical tests, etc.

12e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

NOTIFICATION OF A NEW VARIETY RECEIVED



Plant Variety Protection Number: 7400019

DOMINGOS 41

EXHIBIT A

Origin and Breeding History of the Variety

1. DOMINGOS 41 originated from a hand pollinated cross between Great Lakes 66 and Great Lakes B Strain. The cross was made in the Salinas Valley of California in 1968 by B C SEEDS' personnel.
2. Initial trial plantings were conducted in 1969 to allow for individual plant selection work. Several subsequent trial plantings were made following the initial selection process to allow for segregation and more comprehensive evaluations and selections. These selections were made on the basis of size, color, texture and heading tendencies.
3. The procedures involving trial plantings, evaluations and plant selections were repeated numerous times before finally attaining the desirable type. These plantings were conducted in Yuma, Arizona and the Salinas, San Joaquin and Imperial Valleys of California.
4. DOMINGOS 41 is genetically uniform and free of any distinct variations.

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VARIETY: Domingos 41

EXHIBIT B: Botanical Description of the Variety

Annual. A crisphead variety with medium sized frame. Wrapper leaves smooth and of medium size. Wrapper leaves are broad (similar to Great Lakes 66). Plant color is outstanding (dark green with exceptional high gloss). Head is spherical. Butt of plant is smooth with uniform medium green color. Petioles are medium smooth. Texture of the tissue is exceptionally thick. Adapted to late fall harvest in the San Joaquin and Imperial Valleys of California. Also adapted to late spring and early summer harvest in the Salinas Valley. Seedstalk very uniform in height. Produces a compact panicle and is a medium seed yielder. Seed color is white.

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DOMINGOS 41

P.V.P. No. 7400019

OBJECTIVE DESCRIPTION OF VARIETY
(LETTUCE)

INSTRUCTIONS: See reverse.

NAME OF APPLICANT(S) QUALI-SEL, INC. (Formerly B C Seeds, Inc.)	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 1143 Madison Lane, Salinas, Ca 93901	PVPO NUMBER 207-1-7400019
(P.O. Box 1804, Salinas, Ca 93901)	VARIETY NAME OR TEMPORARY DESIGNATION DOMINGOS 41

Place the appropriate number that describes the varietal character of this variety in the boxes below.

1. PLANT TYPE: <input type="checkbox"/> 4 <input type="checkbox"/> 2 10 = CUTTING (Leaf) 20 = STALK 50 = BUTTERHEAD 60 = LATIN 70 = OTHER (Specify) _____		30 = COS 31 = SELF-CLOSING GROUP 32 = LOOSE-CLOSING GROUP	40 = CRISPHEAD 41 = IMPERIAL GROUP 42 = GREAT LAKES GROUP 43 = VANGUARD 44 = NEW YORK GROUP
2. SEED COLOR: <input type="checkbox"/> 1 1 = WHITE 2 = BLACK 3 = YELLOW		3. ANTHOCYANIN: <input checked="" type="checkbox"/> 1 1 = ABSENT 2 = PRESENT	
4. LEAF CONTAINING ANTHOCYANIN: <input type="checkbox"/> 4 1 = COVERED 2 = SPOTTED 3 = ALONG MARGIN 4 = ABSENT 5 = OTHER (Specify) _____			
5. LEAF SURFACE TEXTURE: <input type="checkbox"/> 1 1 = SMOOTH 2 = BLISTERED		6. LEAF SURFACE REFLECTANCE: <input type="checkbox"/> 2 1 = DULL 2 = GLOSSY 3 = OTHER (Specify) _____	
7. LEAF MARGIN: <input type="checkbox"/> 2 1 = STRAIGHT 2 = WAVY 3 = CURLED		8. LEAF SHAPE: <input type="checkbox"/> 1 1 = ENTIRE 2 = DENTATE 3 = INCISED 4 = DEEPLY INCISED 5 = OTHER (Specify) _____	
8. LEAF SHAPE: <input type="checkbox"/> 1 1 = ROUNDED 2 = POINTED		9. LEAF COLOR: (See reverse.) <input type="checkbox"/> 7 1 = RED 2 = REDDISH-BROWN 3 = YELLOW 4 = YELLOWISH-GREEN 5 = GREYISH-GREEN 6 = BLUE-GREEN 7 = DARK-GREEN 8 = VERY DARK GREEN	
10. HEADS: <input type="checkbox"/> 1 1 = SPHERICAL 2 = FLATTENED 3 = ELONGATE 4 = POINTED 5 = NON-HEADING		11. PLANT SIZE: (See reverse.) <input type="checkbox"/> 2 1 = SMALL 2 = MEDIUM 3 = LARGE	
12. CULTURE: <input type="checkbox"/> 5 1 = SUMMER CROP 2 = WINTER CROP 3 = NOT SPECIFIC 4 = UNDER GLASS 5 = OTHER (Specify) _____ Late Fall, Early Summer, Late Spring			
13. SIZE OF 10-DAY OLD SEEDLING GROWN UNDER CONSTANT LIGHT (Growth Chamber) AT 25° C.: (Place a zero in first box (i.e. <input type="checkbox"/> 0 <input type="checkbox"/> 2). when size is 9 mm. or less.) <input type="checkbox"/> 7 <input type="checkbox"/> 9 mm. LENGTH OF SEEDLING <input type="checkbox"/> 1 <input type="checkbox"/> 5 mm. LENGTH OF COTYLEDON <input type="checkbox"/> 0 <input type="checkbox"/> 3 mm. WIDTH OF COTYLEDON			
14. DISEASE RESISTANCE TO: (Enter zeroes in box(es) where there is no special disease resistance.) * <input type="checkbox"/> 2 1 = TIPBURN <input type="checkbox"/> 2 2 = MOSAIC <input type="checkbox"/> 1 3 = DAMPING OFF <input type="checkbox"/> 2 4 = DOWNY MILDEW <input type="checkbox"/> 2 5 = SCLEROTINIA ROT <input type="checkbox"/> 1 6 = BROWN BLIGHT <input type="checkbox"/> 1 7 = BIG VEIN <input type="checkbox"/> 8 = OTHER (Specify) _____ * 1-Not Tested 2-Susceptible 3-Resistant			
15. OUTLINE THE FOURTH LEAF: (For standardization purposes, the fourth leaf should be taken from a 20-day old plant grown under constant light.)			



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VARIETY: DOMINGOS 41

EXHIBIT D: Data Indicative of Novelty

Domingos 41 most closely resembles the variety Great Lakes 66. The distinguishing features of Domingos 41 compared to Great Lakes 66 include:

1. It has a good range of adaptability suitable for production in the San Joaquin and Imperial Valleys of California in the fall and the Salinas Valley in late spring and early summer. Great Lakes 66 is limited to summer production in the Salinas Valley of California.
2. It has a heavier leaf texture not found in Great Lakes 66. The leaf texture is similar to the variety Val Rio.
3. It possesses an extremely high glossy color not currently found on any commercial Great Lakes strain. The color is similar to the dark-green shade found on the variety Val Rio.
4. It does not produce upright foliage growth to protect the head as well as the Great Lakes 66.
5. It is slightly smaller in average frame size, but will produce an optimum diameter head size of 5½" to 6".

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VARIETY: Domingos 41

EXHIBIT E:

The applicant is the breeder. All rights have been assigned to Quali-Sel, Inc.

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16. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER		NAME OF VARIETY				
Leaf color		Val Rio				
Leaf pigmentation		Great Lakes B				
Leaf shape		Val Rio				
Plant size		Great Lakes 66				
Head size		Great Lakes 66				
VARIETY	NO. OF DAYS TO HEAD MATURITY UNDER WINTER CROPPING	LOCATION	NO. OF DAYS TO HEAD MATURITY UNDER SUMMER CROPPING	LOCATION	NO. OF DAYS TO SEED STALK EMERGENCE UNDER SUMMER CROPPING	LOCATION
Submitted	Approximately 107 days	Yuma, Ariz	Approximately 79 days	Salinas Valley, Ca.	Approximately 125 days	San Joaquin Valley, Ca.
Similar	Approximately 97 days	Yuma, Ariz	Approximately 73 days	Salinas Valley, Ca.	Approximately 119 days	San Joaquin Valley, Ca.
Name of similar variety	CALMAR		CALMAR		CALMAR	

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for completing this form:

1. C. M. Rodenburg, 1960, Varieties of Lettuce, An International Monograph, Instituut Voor de Veredeling van Tuinbouwgewassen, Wageningen, Holland.
2. L. L. Morse, 1930, Field Notes on Lettuce, published by Ferry-Morse Seed Co.

LEAF COLOR: Nickerson's or any recognized color fan may be used to determine the leaf color of the described variety. The following lettuce varieties may be used as a guide to identify the eight colors listed on the form.

Color	Variety
Red	"Salad Trim"
Reddish-brown	"Ruby"
Yellow	"Salad Bowl"
Yellowish-green	"Oakleaf"
Greyish-green	"White Boston"
Bluish-green	"Bibb"
Dark-green	"Imperial" group
Very dark green	"Deer Tongue"

PLANT SIZE: The following varieties may be used as a guide to identify the plant type size:

TYPE	COMPARABLE VARIETIES		
	SMALL	MEDIUM	LARGE
Cutting (leaf)	Boston-Curled	Prize Head	Grand Rapids
Stalk (stem)	Celtuce	--	--
Cos	Express	Parris Island	Giant White
Crisphead	Mignonette	Hanson (Merit)	Climax
Butterhead	Tom Thumb	Big Boston	Mammoth Butter
Latin	Sucrino	Creole	Deer Tongue

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